

**TOWN OF DARIEN
PLANNING AND ZONING COMMISSION**

SWIMMING POOLS, HOT TUBS and SPAS

What permits are required for a pool, hot tub or spa on my residential property?

Several Permits are required for the installation of a hot tub, spa or swimming pool in Darien.

The Residential Building Code requires a Building Permit for any pool, hot tub or spa that is capable of containing water at a depth of 24 inches or greater. This applies to permanent, in ground structures, and temporary or above ground structures. Building Permit application with plumbing schematics, specifications from the manufacturer, stamped engineering drawings of the structural elements, construction plans and details must be submitted to demonstrate compliance with the Building Code. Contact the Building Department, (203) 656-7347.

Health Department approval is required of the backwash and/or filter system and the location of the pool in relation to the septic system and/or well. The State of Connecticut Public Health Code requires a 25 foot separation distance between the septic system and the pool. It is recommended that this same 25 foot separation be used between a well and a pool. Contact David Knauf, Health Director, (203) 656-7320.

A Zoning Permit application and accurate map must be submitted to demonstrate compliance with the setback, yard, and lot coverage requirements. Existing and proposed site grading terrace, patio and storm drainage management must be illustrated on the plans. If the pool location and/or construction area is near a brook, river, wetlands or coastal area, or if it is in a flood zone, additional permits will be required. Contact David Keating, Zoning Enforcement Officer, (203) 656-7351.

What required yard and setback requirements are applicable for my property?

As noted in Section 406 of the Zoning Regulations, the pool must be setback from the property lines in accordance with the following minimum yard requirements:

Zones					
<u>Min. Distance From</u>	<u>R-2</u>	<u>R-1</u>	<u>R-1/2</u>	<u>R-1/3</u>	<u>R-1/5</u>
Front Property Line	50'	40'	40'	30'	25'
Side Property Line(s)	35'	25'	10'	6'	6'
Rear Property Line(s)	50'	40'	10'	6'	6'

Not more than 20% of the lot area can be covered by structures, including the house, garage, porches, deck, pool, shed, mechanical equipment, etc.

Any proposed work, including the site disturbance or grading, within a flood hazard area, or the coastal area or within 50' of a wetland or small watercourse or within 100' of a named watercourse, will require a permit from the Environmental Protection Commission and/or the Planning and Zoning Commission.

What about pool fences?

Two types of fence may be required.

- A. The Building Code requires that in-ground pools (and above ground pools with outside walls of less than four feet in height) must have a non-climbable safety fence at least four feet high, with a self-closing and self-latching gate, surrounding the pool to prevent children or animals from wandering into the pool.
- B. The Zoning Regulations require that any pool that is within 25 feet of a property boundary must have a six foot high solid wall or fence to act as a noise and visual buffer.

Both types of fencing may be required (e.g. - a six foot high stockade fence along a boundary when the pool is only 13 feet from the property line and a four foot high chain link fence around the rest of the yard where the pool is more than 25 feet from the boundary) OR

Neither fence may be required (e.g. - for a five foot deep above ground pool that is 40 feet from the property lines, or a hot tub that is 50 feet from the property lines and has a special, code compliant fastening cover).

What are the setbacks for the pool equipment?

Pumps, filters, heaters, automatic covers, backwash equipment, storage sheds, etc. must comply with the setback requirements as described above, and must be shown accurately and clearly on all the plans.

For more information on pools, hot tubs and spas and about the required privacy fence:

See Section 364 of the Darien Zoning Regulations which are on the Town of Darien web site: www.darienct.gov, then click on the left hand side "Zoning Regulations" or contact

Darien Planning and Zoning Office
Town Hall Room 211
2 Renshaw Road
Darien, CT 06820
656-7351

for more information on pool fences required by the Building Code:

Darien Building Department
Town Hall Room 212
2 Renshaw Road
Darien, CT 06820
656-7347

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